

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
---	------------------------------------

This document relates to:

*Ashton et al. v. al Qaeda Islamic Army, et al.*, 02-cv-6977 (GBD)(SN)

**MOTION TO SUBSTITUTE PARTIES PURSUANT TO FEDERAL RULE OF CIVIL  
PROCEDURE 15(d)**

Pursuant to Federal Rules of Civil Procedure 15(d), Capparis et al. Plaintiffs herein move the Court to allow substitution of the party as identified on Exhibit A in the above referenced action. The individual being substituted into the case is the Personal Representative of the previous Personal Representative of an individual killed as a result of the terrorist attacks on September 11, 2001 (a “9/11 decedent”) or is the Personal Representative for a family member of a 9/11 decedent.

Exhibit A identifies the individuals to be substituted in the pleading, including the capacity in which they seek to be substituted, state of residency of the decedent at the time the complaint was filed, the existing pleading that refers to the plaintiff, and the decedent of which the plaintiff is the Personal Representative.

Plaintiffs propose that, upon endorsement of Plaintiffs’ Proposed Order, the substituted parties be individually entered as a Plaintiff into the Court’s ECF system to ease the burden on the Clerk of the Court’s Office and the size of this MDL

/s/ Andrew J. Maloney, III, Esq.  
Andrew J. Maloney

Kreindler& Kreindler, LLP  
485 Lexington Ave, 28<sup>th</sup> Fl  
New York, NY 10017  
T (212) 687-8181  
Amaloney@kreindler.com

## Exhibit A

#	PREVIOUS PLAINTIFF (ESTATE REPRESENTATIVE) FIRST NAME	PREVIOUS PLAINTIFF (ESTATE REPRESENTATIVE) MIDDLE NAME	PREVIOUS PLAINTIFF (ESTATE REPRESENTATIVE) LAST NAME	PREVIOUS PLAINTIFF (ESTATE REPRESENTATIVE) SUFFIX	SUBSTITUTE PLAINTIFF (ESTATE REPRESENTATIVE) FIRST NAME	SUBSTITUTE PLAINTIFF (ESTATE REPRESENTATIVE) MIDDLE NAME	SUBSTITUTE PLAINTIFF (ESTATE REPRESENTATIVE) LAST NAME	SUBSTITUTE PLAINTIFF (ESTATE REPRESENTATIVE) SUFFIX	State of Residency of Substituted Personal Representative at Filing	CASE NUMBER	9/11 DECEDENT'S FIRST NAME	9/11 DECEDENT'S MIDDLE NAME	9/11 DECEDENT'S LAST NAME	9/11 DECEDENT'S SUFFIX	State of Residency of 9/11 DECEDENT at Death
1	Gail		Brennan		Sheila		Capparis		NJ	1:02-cv-06977	Edward	A.	Brennan	III	NY
2	Bob		Cheatham		Arthur		Cheatham		NY	1:02-cv-06977	Delrose	Forbes	Cheatham		NY
3	Robert		Clark		Regina		Gans		MD	1:02-cv-06977	Eugene		Clark		NY
4	Marianne		Cruikshank		Douglas	A	Cruikshank		NY	1:02-cv-06977	Robert		Cruikshank		NY
5	Robert		Devitt	Sr	Joyce		Devitt		NJ	1:02-cv-06977	Robert		Devitt		NJ
6	David		Distefano		Frank		Distefano		NY	1:02-cv-06977	Douglas		Distefano		NY
7	Eileen		Geraty		Erin		Durkin		FL	1:02-cv-06977	Suzanne		Geraty		NY
8	Joseph		Hromada		Stephen		Hromada		NY	1:02-cv-06977	Milagros		Hromada		NY
9	Frederick		Irby		Kenneth		Irby		AL	1:02-cv-06977	Stephanie		Irby		NY
10	Jan		Kandell		Beatrice		Kandell		NJ	1:02-cv-06977	Shari		Kandell		NJ
11	Emmet	P.	Kelly		James	P.	Kelly		NY	1:02-cv-06977	Thomas	Richard	Kelly		NY
12	Ilia		Rodriguez		Haydee	C.	Lillo		NY	1:02-cv-06977	Carlos		Lillo		NY
13	Lloyd	C.	Mair		Yvonne		Ramirez		GA	1:02-cv-06977	Linda	C.	Mair Grayling		NY
14	Jeffrey		Lovit		Jason		Seymour		CA	1:02-cv-06977	Jacqueline		Norton		MN
15	Jeffrey		Lovit		Jason		Seymour		CA	1:02-cv-06977	Robert	G.	Norton		MN
16	Helen		Passaro		Irene		Durbin		NY	1:02-cv-06977	Suzanne	H.	Passaro		NY
17	Helen		Pfeifer		Joseph and Mary		Machinski (Mary & Joseph (Pfeifer)		NY	1:02-cv-06977	Kevin		Pfeifer		NY
18	Robin		Theurkauf		Thomas	Francis	Theurkauf	III	CT	1:02-cv-06977	Thomas	F.	Theurkauf	Jr.	CT
19	Floyd		Weil		Judith		Weil		NY	1:02-cv-06977	Joanne	F.	Weil		NY